

1 AN ACT concerning education.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The School Code is amended by changing
5 Sections 27-9.1 and 27-9.2 as follows:

6 (105 ILCS 5/27-9.1) (from Ch. 122, par. 27-9.1)
7 Sec. 27-9.1. Sex Education.

8 (a) No pupil shall be required to take or participate in
9 any class or course in comprehensive sex education if his
10 parent or guardian submits written objection thereto, and
11 refusal to take or participate in such course or program
12 shall not be reason for suspension or expulsion of such
13 pupil. Each class or course in comprehensive sex education
14 offered in any of grades 6 through 12 shall include
15 instruction on the prevention, transmission and spread of
16 AIDS. Nothing in this Section prohibits instruction in
17 sanitation, hygiene or traditional courses in biology.

18 (b) All public elementary, junior high, and senior high
19 school classes that teach sex education and discuss sexual
20 intercourse shall emphasize that abstinence is the expected
21 norm in that abstinence from sexual intercourse is the only
22 protection that is 100% effective against unwanted teenage
23 pregnancy, sexually transmitted diseases, and acquired immune
24 deficiency syndrome (AIDS) when transmitted sexually.

25 (c) In this subsection (c):
26 "Factual information" includes without limitation
27 medical, psychiatric, psychological, empirical, and
28 statistical statements.

29 "Medically accurate" means verified or supported by
30 research conducted in compliance with scientific methods,
31 published in peer-review journals, where appropriate, and

1 recognized as accurate and objective by professional
2 organizations and agencies with expertise in the relevant
3 field, such as the Centers for Disease Control and
4 Prevention.

5 All sex education courses that discuss sexual intercourse
6 shall satisfy the following criteria:

7 (0.5) Factual information presented in course
8 material and instruction shall be medically accurate and
9 objective.

10 (1) All course material and instruction shall be
11 age appropriate.

12 (1.5) Course material and instruction shall stress
13 that abstinence is the only contraceptive method that is
14 100% effective and that all other methods of
15 contraception carry a risk of failure in preventing
16 unwanted teenage pregnancy.

17 (1.7) Course material and instruction shall present
18 the latest medically factual information regarding both
19 the possible side effects and health benefits of all
20 forms of contraception, including the success and failure
21 rates for the prevention of pregnancy and sexually
22 transmitted diseases.

23 (2) Course material and instruction shall teach
24 honor and respect for monogamous heterosexual marriage.

25 (3) Course material and instruction shall stress
26 that pupils should abstain from sexual intercourse until
27 they are ready for marriage.

28 (4) Course material and instruction shall include a
29 discussion of the possible emotional and psychological
30 consequences of preadolescent and adolescent sexual
31 intercourse outside of marriage and the consequences of
32 unwanted adolescent pregnancy.

33 (5) Course material and instruction shall stress
34 that sexually transmitted diseases are serious possible

1 hazards of sexual intercourse. Pupils shall be provided
 2 with statistics based on the latest medical information
 3 citing the failure and success rates of condoms in
 4 preventing AIDS and other sexually transmitted diseases.

5 (6) Course material and instruction shall advise
 6 pupils of the laws pertaining to their financial
 7 responsibility to children born in and out of wedlock.

8 (7) Course material and instruction shall advise
 9 pupils that it is unlawful for males or females of any
 10 age to engage in sexual conduct or have sexual relations
 11 with a minor as specified in ~~of-the--circumstances--under~~
 12 ~~which--it--is-unlawful-for-males-to-have-sexual-relations~~
 13 ~~with-females-under-the-age-of-18-to--whom--they--are--not~~
 14 ~~married--pursuant--to~~ Article 12 of the Criminal Code of
 15 1961, as now or hereafter amended.

16 (7.5) Course material and instruction shall
 17 emphasize that the pupil has the power to control
 18 personal behavior. Pupils shall be encouraged to base
 19 their actions on reasoning, self-discipline, sense of
 20 responsibility, self-control, and ethical considerations,
 21 such as respect for oneself and others.

22 (8) Course material and instruction shall teach
 23 pupils to not make unwanted physical and verbal sexual
 24 advances and how to say no to unwanted sexual advances
 25 and shall include information about verbal, physical, and
 26 visual sexual assault, including without limitation
 27 nonconsensual sexual advances, nonconsensual physical
 28 sexual contact, and rape by an acquaintance, commonly
 29 referred to as date rape. This course material and
 30 instruction shall contain methods of preventing sexual
 31 assault by an acquaintance, including exercising good
 32 judgment and avoiding behavior that impairs good
 33 judgment, and ~~Pupils shall be taught that it is wrong to~~
 34 ~~take-advantage-of--or--to--exploit--another--person.--The~~

1 material--and--instruetien shall also encourage youth to
2 resist negative peer pressure. This course material and
3 instruction shall inform pupils of the potential legal
4 consequences of sexual assault by an acquaintance.
5 Specifically, pupils shall be advised that it is unlawful
6 to touch an intimate part of another person as specified
7 in the Criminal Code of 1961.

8 (9) Course material and instruction shall teach
9 pupils that it is wrong to take advantage of or to
10 exploit another person.

11 (10) Course material and instruction shall be free
12 of racial, ethnic, and gender biases.

13 (d) An opportunity shall be afforded to parents or
14 guardians to examine the instructional materials to be used
15 in such class or course.

16 (Source: P.A. 86-941.)

17 (105 ILCS 5/27-9.2) (from Ch. 122, par. 27-9.2)
18 Sec. 27-9.2. Family Life.

19 (a) If any school district provides courses of
20 instruction designed to promote wholesome and comprehensive
21 understanding of the emotional, psychological, physiological,
22 hygienic and social responsibility aspects of family life,
23 then such courses of instruction shall include the teaching
24 of the alternatives to abortion, appropriate to the various
25 grade levels; and whenever such courses of instruction are
26 provided in any of grades 6 through 12, then such courses
27 also shall include instruction on the prevention,
28 transmission and spread of AIDS. However, no pupil shall be
29 required to take or participate in any family life class or
30 course on AIDS instruction if his parent or guardian submits
31 written objection thereto, and refusal to take or participate
32 in such course or program shall not be reason for suspension
33 or expulsion of such pupil.

1 (b) In this subsection (b):

2 "Factual information" includes without limitation
3 medical, psychiatric, psychological, empirical, and
4 statistical statements.

5 "Medically accurate" means verified or supported by
6 research conducted in compliance with scientific methods,
7 published in peer-review journals, where appropriate, and
8 recognized as accurate and objective by professional
9 organizations and agencies with expertise in the relevant
10 field, such as the Centers for Disease Control and
11 Prevention.

12 All family life courses of instruction shall satisfy the
13 following criteria:

14 (1) Factual information presented in course
15 material and instruction shall be medically accurate and
16 objective.

17 (2) All course material and instruction in classes
18 that teach sex education and discuss sexual intercourse
19 shall be age appropriate.

20 (3) Course material and instruction shall stress
21 that abstinence is the only contraceptive method that is
22 100% effective and that all other methods of
23 contraception carry a risk of failure in preventing
24 unwanted teenage pregnancy.

25 (4) Course material and instruction shall present
26 the latest medically factual information regarding both
27 the possible side effects and health benefits of all
28 forms of contraception, including the success and failure
29 rates for the prevention of pregnancy and sexually
30 transmitted diseases.

31 (5) Course material and instruction shall stress
32 that sexually transmitted diseases are serious possible
33 hazards of sexual intercourse. Pupils shall be provided
34 with statistics based on the latest medical information

1 citing the failure and success rates of condoms in
2 preventing AIDS and other sexually transmitted diseases.

3 (6) Course material and instruction shall advise
4 pupils that it is unlawful for males or females of any
5 age to engage in sexual conduct or have sexual relations
6 with a minor as specified in Article 12 of the Criminal
7 Code of 1961.

8 (7) Course material and instruction shall emphasize
9 that the pupil has the power to control personal
10 behavior. Pupils shall be encouraged to base their
11 actions on reasoning, self-discipline, sense of
12 responsibility, self-control, and ethical considerations,
13 such as respect for oneself and others.

14 (8) Course material and instruction shall teach
15 pupils to not make unwanted physical and verbal sexual
16 advances and how to say no to unwanted sexual advances
17 and shall include information about verbal, physical, and
18 visual sexual assault, including without limitation
19 nonconsensual sexual advances, nonconsensual physical
20 sexual contact, and rape by an acquaintance, commonly
21 referred to as date rape. This course material and
22 instruction shall contain methods of preventing sexual
23 assault by an acquaintance, including exercising good
24 judgment and avoiding behavior that impairs good
25 judgment, and shall also encourage youth to resist
26 negative peer pressure. This course material and
27 instruction shall inform pupils of the potential legal
28 consequences of sexual assault by an acquaintance.
29 Specifically, pupils shall be advised that it is unlawful
30 to touch an intimate part of another person, as specified
31 in the Criminal Code of 1961.

32 (9) Course material and instruction in classes that
33 discuss sexual intercourse shall teach pupils that it is
34 wrong to take advantage of or to exploit another person.

1 (10) Course material and instruction shall be free
2 of racial, ethnic, and gender biases.

3 (c) The State Superintendent of Education shall prepare
4 and make available to local school districts courses of
5 instruction designed to satisfy the requirements of this
6 Section.

7 The State Superintendent of Education shall develop a
8 procedure for evaluating and measuring the effectiveness of
9 the family life courses of instruction in each local school
10 district, including the setting of reasonable goals for
11 reduced sexual activity, sexually transmitted diseases and
12 premarital pregnancy. The goals shall be set by the beginning
13 of the 1991-92 school year. The State Superintendent shall
14 distribute a copy of the procedure to each local school
15 district. Each local school district may develop additional
16 procedures or methods for measuring the effectiveness of the
17 family life courses of instruction within the district.
18 Before the beginning of the 1993-94 school year, the State
19 Superintendent shall collect and evaluate all relevant data
20 to determine whether the goals are being achieved.

21 (Source: P.A. 86-941.)

22 Section 10. The Critical Health Problems and
23 Comprehensive Health Education Act is amended by changing
24 Sections 2 and 3 as follows:

25 (105 ILCS 110/2) (from Ch. 122, par. 862)

26 Sec. 2. Definitions. In this Act, the following terms
27 shall have the following meanings respectively prescribed for
28 them, except as the context otherwise requires:

29 (a) "Comprehensive Health Education Program": a
30 systematic and extensive educational program designed to
31 provide a variety of learning experiences based upon
32 scientific knowledge of the human organism as it functions

1 within its environment which will favorably influence the
2 knowledge, attitudes, values and practices of Illinois school
3 youth; and which will aid them in making wise personal
4 decisions in matters of health.

5 "Factual information" includes without limitation
6 medical, psychiatric, psychological, empirical, and
7 statistical statements.

8 "Medically accurate" means verified or supported by
9 research conducted in compliance with scientific methods,
10 published in peer-review journals, where appropriate, and
11 recognized as accurate and objective by professional
12 organizations and agencies with expertise in the relevant
13 field, such as the Centers for Disease Control and
14 Prevention.

15 (Source: P.A. 77-1405.)

16 (105 ILCS 110/3) (from Ch. 122, par. 863)

17 Sec. 3. Comprehensive Health Education Program.

18 (a) The program established under this Act shall
19 include, but not be limited to, the following major
20 educational areas as a basis for curricula in all elementary
21 and secondary schools in this State: human ecology and
22 health, human growth and development, the emotional,
23 psychological, physiological, hygienic and social
24 responsibilities of family life, including sexual abstinence
25 until marriage, prevention and control of disease, including
26 instruction in grades 6 through 12 on the prevention,
27 transmission and spread of AIDS, public and environmental
28 health, consumer health, safety education and disaster
29 survival, mental health and illness, personal health habits,
30 alcohol, drug use, and abuse including the medical and legal
31 ramifications of alcohol, drug, and tobacco use, abuse during
32 pregnancy, sexual abstinence until marriage, tobacco,
33 nutrition, and dental health.

1 (b) All comprehensive health education programs
2 established under this Act shall satisfy the following
3 criteria:

4 (1) Factual information presented in course
5 material and instruction shall be medically accurate and
6 objective.

7 (2) All course material and instruction in classes
8 that teach sex education and discuss sexual intercourse
9 shall be age appropriate.

10 (3) Course material and instruction shall stress
11 that abstinence is the only contraceptive method that is
12 100% effective and that all other methods of
13 contraception carry a risk of failure in preventing
14 unwanted teenage pregnancy.

15 (4) Course material and instruction shall present
16 the latest medically factual information regarding both
17 the possible side effects and health benefits of all
18 forms of contraception, including the success and failure
19 rates for the prevention of pregnancy and sexually
20 transmitted diseases.

21 (5) Course material and instruction shall stress
22 that sexually transmitted diseases are serious possible
23 hazards of sexual intercourse. Pupils shall be provided
24 with statistics based on the latest medical information
25 citing the failure and success rates of condoms in
26 preventing AIDS and other sexually transmitted diseases.

27 (6) Course material and instruction shall advise
28 pupils that it is unlawful for males or females of any
29 age to engage in sexual conduct or have sexual relations
30 with a minor as specified in Article 12 of the Criminal
31 Code of 1961.

32 (7) Course material and instruction shall emphasize
33 that the pupil has the power to control personal
34 behavior. Pupils shall be encouraged to base their

1 actions on reasoning, self-discipline, sense of
2 responsibility, self-control, and ethical considerations,
3 such as respect for oneself and others.

4 (8) Course material and instruction shall teach
5 pupils to not make unwanted physical and verbal sexual
6 advances and how to say no to unwanted sexual advances
7 and shall include information about verbal, physical, and
8 visual sexual assault, including without limitation
9 nonconsensual sexual advances, nonconsensual physical
10 sexual contact, and rape by an acquaintance, commonly
11 referred to as date rape. This course material and
12 instruction shall contain methods of preventing sexual
13 assault by an acquaintance, including exercising good
14 judgment and avoiding behavior that impairs good
15 judgment, and shall also encourage youth to resist
16 negative peer pressure. This course material and
17 instruction shall inform pupils of the potential legal
18 consequences of sexual assault by an acquaintance.
19 Specifically, pupils shall be advised that it is unlawful
20 to touch an intimate part of another person as specified
21 in the Criminal Code of 1961.

22 (9) Course material and instruction in classes that
23 discuss sexual intercourse shall teach pupils that it is
24 wrong to take advantage of or to exploit another person.

25 (10) Course material and instruction shall be free
26 of racial, ethnic, and gender biases.

27 (c) Notwithstanding the above educational areas, the
28 following areas may also be included as a basis for curricula
29 in all elementary and secondary schools in this State: basic
30 first aid (including, but not limited to, cardiopulmonary
31 resuscitation and the Heimlich maneuver), early prevention
32 and detection of cancer, heart disease, diabetes, stroke, and
33 the prevention of child abuse, neglect, and suicide. The
34 school board of each public elementary and secondary school

1 in the State is encouraged to have in its employ, or on its
2 volunteer staff, at least one person who is certified, by the
3 American Red Cross or by another qualified certifying agency,
4 as qualified to administer first aid and cardiopulmonary
5 resuscitation. In addition, each school board is authorized
6 to allocate appropriate portions of its institute or
7 inservice days to conduct training programs for teachers and
8 other school personnel who have expressed an interest in
9 becoming qualified to administer emergency first aid or
10 cardiopulmonary resuscitation. School boards are urged to
11 encourage their teachers and other school personnel who coach
12 school athletic programs and other extracurricular school
13 activities to acquire, develop, and maintain the knowledge
14 and skills necessary to properly administer first aid and
15 cardiopulmonary resuscitation in accordance with standards
16 and requirements established by the American Red Cross or
17 another qualified certifying agency.

18 (d) No pupil shall be required to take or participate in
19 any class or course on AIDS or family life instruction if his
20 parent or guardian submits written objection thereto, and
21 refusal to take or participate in the course or program shall
22 not be reason for suspension or expulsion of the pupil.

23 (e) Curricula developed under programs established in
24 accordance with this Act in the major educational area of
25 alcohol and drug use and abuse shall include classroom
26 instruction in grades 5 through 12. The instruction, which
27 shall include matters relating to both the physical and legal
28 effects and ramifications of drug and substance abuse, shall
29 be integrated into existing curricula; and the State Board of
30 Education shall develop and make available to all elementary
31 and secondary schools in this State instructional materials
32 and guidelines which will assist the schools in incorporating
33 the instruction into their existing curricula. In addition,
34 school districts may offer, as part of existing curricula

1 during the school day or as part of an after school program,
2 support services and instruction for pupils or pupils whose
3 parent, parents, or guardians are chemically dependent.

4 (Source: P.A. 90-566, eff. 1-2-98.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.